

FILED 06 SEP 06 07 AM '06 RUSUDORE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

POLICARPIO SANCHEZ-CRUZ,

Civ. No. 04-1547-TC
O R D E R

Petitioner,

vs.

GUY HALL,

Respondent.

AIKEN, Judge:

Magistrate Judge Coffin filed his Findings and Recommendation on July 17, 2006. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When a party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate's report. 28 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Petitioner has timely filed objections. I have, therefore, given the file of this case a de novo review. I note that both parties elected to stand on the record before the Magistrate and file no further submissions before this court. I ADOPT the

1 Magistrate's Findings and Recommendation (doc. 40) that
2 petitioner's habeas petition (doc. 2) is dismissed. Further, I
3 deny petitioner's request to file a pro se submission further
4 objecting to the Magistrate's Findings and Recommendations. I
5 note that the Federal Defender for the District of Oregon did a
6 thorough job representing petitioner, including fairly presenting
7 every available legal argument for the court's review.

8 IT IS SO ORDERED.

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10 Dated this 1 day of ~~August~~ September 2006.

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Ann Aiken
15 United States District Judge
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